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CITY OF SACRAMENTO, SACRAMENTO
POLICE DEPARTMENT, and DANIEL HAHN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

DANIEL GARZA, et al.,

Plaintiffs,

vs.

CITY OF SACRAMENTO, et al.,

Defendants.

Case No. 2:20-cv-01229-WBS-JDP

**STIPULATED PROTECTIVE ORDER
RE: PROTECTED HEALTH INFORMATION;
[PROPOSED] ORDER**

STIPULATION

Pursuant to Fed. R. Civ. P. 26(c), E.D. Cal. L.R. 141.1, and 45 C.F.R. § 164.512(e)(1)(v), the parties stipulate to the entry of a qualified protective order as follows:

1. The parties and their attorneys are authorized to receive, subpoena, and transmit “protected health information” pertaining to Plaintiffs to the extent and subject to the conditions outlined herein.

2. For the purposes of this qualified protective order, “protected health information” shall have the same scope and definition as set forth in 45 C.F.R. § 160.103 and 164.501. Protected health information includes, but is not limited to, health information, including demographic information, relating to either (a) the past, present, or future physical or mental condition of an individual; (b) the provision of care to an individual; or (c) the payment for care provided to an individual, which identifies the individual or which reasonably could be expected to identify the individual.

3. All “covered entities” (as defined by 45 C.F.R. § 160.103) are hereby authorized to disclose protected health information pertaining to Plaintiffs to attorneys representing Plaintiffs and Defendants in the above-captioned litigation.

4. The parties and their attorneys shall be permitted to use or disclose the protected health information of Plaintiffs for purposes of prosecuting or defending this action including any appeals of this case. This includes, but is not necessarily limited to, disclosure to their attorneys, experts, consultants, court personnel, court reporters, copy services, trial consultants, and other entities or persons involved in the litigation process.

5. Prior to disclosing Plaintiffs’ protected health information to persons involved in this litigation, counsel shall inform each such person that Plaintiffs’ protected health information may not be used or disclosed for any purpose other than this litigation. Counsel shall take all other reasonable steps to ensure that persons receiving Plaintiffs’ protected health information do not use or disclose such information for any purpose other than this litigation.

6. Within 45 days after the conclusion of the litigation including appeals, the parties, their attorneys, and any person or entity in possession of protected health information received from counsel pursuant to paragraph four of this Order, shall return Plaintiffs’ protected health information to the

covered entity or destroy any and all copies of protected health information pertaining to Plaintiffs, except that counsel are not required to secure the return or destruction of protected health information submitted to the court.

7. This Order does not authorize either party to seal court filings or court proceedings. A party may seek permission from the Court to file protected health information under seal pursuant to E.D. Cal. L.R. 141.

IT IS SO STIPULATED.

Dated: April 25, 2022

Respectfully Submitted,
LAW OFFICE OF MARK E. MERIN

/s/ Mark E. Merin

By: _____
Mark E. Merin
Paul H. Masuhara

Attorneys for Plaintiffs
DANIEL GARZA, JOSHUA RUIZ,
ELISABETH CROUCHLEY, STEVEN PASSAL,
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JOHN RUFFNER, and JENNIFER LORET DE MOLA

Dated: April 25, 2022

Respectfully Submitted,
CITY OF SACRAMENTO

/s/ Chance L. Trimm
(as authorized on April 25, 2022)

By: _____
Chance L. Trimm


Attorney for Defendants
CITY OF SACRAMENTO, SACRAMENTO
POLICE DEPARTMENT, and DANIEL HAHN

[PROPOSED] ORDER

The parties' stipulation is GRANTED.

IT IS SO ORDERED.

Dated: May 2, 2022


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE